

REMARKS

Reconsideration of this application as amended is respectfully requested. Claim 1 has been amended. Claims 2 and 6-13 were previously canceled. As a result, claims 1 and 3-5 are in this application and are presented for the Examiner's consideration in view of the following comments.

At the outset, Applicants note that the Examiner has referred to U.S. Patent No. 6,663,198 on page 2 of the Office Action, yet the "Notice of References Cited" indicates U.S. Patent No. 6,662,198. For the purposes of this response, Applicants have assumed that U.S. Patent No. 6,662,198 is the correct reference.

Claims 1 and 3-5 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication 2004/0062398 published April 1, 2004 for Robert Allan Unger (*Unger*) in view of U.S. Patent No. 6,662,198, issued December 16, 2003 to Satyanarayanan et al. (*Satyanarayanan*). Although Applicants disagree, Applicants have amended claim 1 in the interests of furthering prosecution.

The combination of *Unger* and *Satyanarayanan* does not yield Applicants' claimed invention. In particular, *Unger* simply receives and records control packets. It is clear from *Unger* that the control packets are all different:

Some packets that have special IDs (indicating they pertain to a particular sequential group of packets) can also contain an "entitlement control message" (ECM) that can include one or more key pairs, with each key in a pair having an "even" or "odd" polarity.

Unger, paragraph 22, emphasis added.

In contrast, Applicants' claimed invention is different. Applicants claimed invention only records a control packet once, even if the control packet is received numerous times. This is simply not found in *Unger*.

Nor is this deficiency remedied by *Satyanarayanan*. The Examiner points to col. 12, lns. 10-20 of *Satyanarayanan*, but *Satyanarayanan* has nothing to do with Applicants' claimed invention. Nowhere does *Satyanarayanan* describe, or suggest, the requirements of Applicants' claim 1. Indeed, the "key" pointed to by the Examiner is for a data base. Keys are unique in a data base, but the data stored under them can be

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the same. (*Satyanarayanan*, col. 12, Ins. 1-9.) As such, the key of *Satyanarayanan* has nothing to do with recognizing that the data, e.g., the control packets as claimed by Applicants, are the same and therefore do not have to be written – again.

In addition, the Examiner's suggested motivation for modifying *Unger* has nothing to do with Applicants' claimed invention. Applicants' claimed invention is not concerned with overwriting previously stored data – but with not needlessly storing data that is the same. As such, even if one were to modify *Unger* as suggested by the Examiner, the resulting system still does not yield Applicants' claimed invention.

In view of the above, Applicants respectfully submit that independent claim 1 is patentable over *Unger* in view of *Satyanarayanan*. As such, respective dependent claims 3-5 are also in condition for allowance.

As it is believed that all of the objections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicants' attorney in order to overcome any additional objections that the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefor.

Respectfully submitted
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